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PATENT

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Katie Hales
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/647981

Attorney Docket: DP-301686

Filing Date: 08/26/2003

Group Art Unit: 2815

Applicant: Erich W. Gerssch, et al.

Examiner: Jasmine Clark

Title: Vertical Laminated Electrical Switch Circuit

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PROVISIONAL ELECTION

Sir:

This is in response to the Office Action mailed 10/03/2007, imposing a Restriction Requirement between:

Species 1 - Fig. 1-7;

Species 2 - Fig. 8;

Applicants provisionally elect to prosecute Species 1 of Fig. 1-7.

The Office Action contends that no claim is generic. Applicants disagree and contend that claims 1-21 are generic to both Species 1 and Species 2. Besides the generic claims, no other claims read on only Species 1.

Applicants respectfully traverse the restriction requirement. Species 1 shows an electrical switch circuit that includes ceramic substrates and first and second electrical devices. Species 2

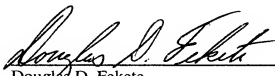
in Fig. 8 depicts a three-phase half-bridge inverter circuit that includes three circuits, each having the elements of the circuit in Species 1. Thus, the claims to Species 1 necessarily read on the inverter circuit in Species 2. Claim 22 is more particularly directed to Species 2, that includes first and second transistors, see claim 6, and further includes third, fourth, fifth and sixth transistors. Thus, the species do not represent separate and distinct inventions, so as to properly justify restriction, but rather are embodiments of the same invention that should properly be considered together in the present application.

Therefore, it is respectfully requested that the requirement be withdrawn and that all claims be considered in the present application.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,



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